

FILED**UNITED STATES DISTRICT COURT**

MAR 18 2020

for the
District of**CARMELITA REEDER SHINN, CLERK**
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY CS **DEPUTY**Division
CIV 20 248
Case No.Joseph Maldonado - Passage

Plaintiff(s) Prison ID # 134593869

(Write the full name of each plaintiff who is filing this complaint.
If the names of all the plaintiffs cannot fit in the space above,
please write "see attached" in the space and attach an additional
page with the full list of names.)

-v-

"See Attached"

Defendant(s)

(Write the full name of each defendant who is being sued. If the
names of all the defendants cannot fit in the space above, please
write "see attached" in the space and attach an additional page
with the full list of names. Do not include addresses here.)

(to be filled in by the Clerk's Office)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

All other names by which
you have been known:

ID Number

Current Institution

Address

Joseph A. Maldonado-Passage

Joe Exotic, Joseph Maldonado

134893860

Grady County Jail

215 N 3rd

Chickasha OK

City

State

73018

Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (*if known*)

Shield Number

Employer

Address

U.S. Federal Wildlife Service

5275 Leesburg Pike

Falls Church

City

Virginia

State

22041

Zip Code

☐ Individual capacity☒ Official capacity**Defendant No. 2**

Name

Job or Title (*if known*)

Shield Number

Employer

Address

United States Department of Interior

1849 C Street NW MS 5311

Washington

City

DC

State

20240

Zip Code

☐ Individual capacity☒ Official capacity

Attachment #1

Defendants – U.S. Federal Wildlife Service

United States Department of Interior

Matthew Bryant Federal Wildlife Agent

Amanda Leigh Maxfield Green

Jeffery Lee Lowe

James Brandon Garretson

Daniel Ashe

Allen Glover

Defendant No. 3

Name

Mathew Bryant

Job or Title (if known)

Federal Wildlife Agent

Shield Number

Employer

U.S. Fish and Wildlife

Address

2700 Coltrane PL Suite 4

Edmond

OK

73034

City

State

Zip Code

☐ Individual capacity☒ Official capacity

Defendant No. 4

Name

Amanda Leigh Maxfield Green

Job or Title (if known)

Asst. U.S. Attorney

Shield Number

Employer

U.S. Attorney's Office

Address

U.S. Attorney's Office

Oklahoma City

OK

73102

City

State

Zip Code

☐ Individual capacity☒ Official capacity

II.

Basis for Jurisdiction

Defendant No 5. See Attached #2

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☒ Federal officials (a *Bivens* claim)☐ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

V VI VIII Due Process, Selective Enforcement,
Discrimination, Right to Post Bond, False Imprisonment,
False Arrest, Perjury, Entrapment

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

See Attached #3

Attachment #2

Defendant #5- Jeffrey Lee Lowe

Greater Wynnewood Exotic Animal Park

25803 NCR 3250

Wynnewood, OK 73098

405-665-5197

Defendant #6-James Brandon Garretson

Wakezone Water Sports

1410 Overseas HWY

Marathon, FL 33050

682-308-3495

Defendant #7-Daniel Ashe

AZA

8403 Colesville Rd Suite 710

Silver Spring, MD 20910-3314

301-562-0777

Defendant #8-Allen Glover

Greater Wynnewood Exotic Animal Park

25803 NCR 3250

Wynnewood, OK 73098

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

See Attached #3

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☒ Convicted and sentenced federal prisoner
- ☐ Other (explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

See Attached #3

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

N/A

Attachment #3

U.S Department of Interior is requiring me to hold a class C exhibitors license and be inspected by the USDA-APHIS inspectors, follow the federal animal welfare act. When I do what I am told the departments of other agency's called the U.S Fish and Wildlife, had me arrested, charged and convicted me for doing what the USDA-APHIS instructed me to do.

U.S. Fish and Wildlife placed generic animal "tiger" on the endangered species list for the reason to stop the breeding of generic tigers NOT to protect them. Also to allow them to file charges to put me in jail and out of business. Therefore stealing my property and promoting an animal rights agenda.

Matthew M Bryant Selecting enforcing the endangered species act ONLY on me. Wrongfully enforcing the work "take" as to mean animals born and bred in my zoo. Knowingly accepting statements he knew were false, allowing his witnesses to lie under oath. Miss leading a grand jury and not seeking the truth to further an animal rights agenda. False arrest, entrapment, false imprisonment, all contributing my mother's death.

Asst. U.S. Attorney Amanda L Green malicious prosecution to further and animal rights agenda. Selective enforcement of the law. Conspiring to commit perjury of the governments witnesses, misleading a grand jury, misinterpreting the endangered species act to falsely convict me. Aiding in the death of my mother.

Jeffery L Lowe files false statements to the federal agents. He was the main person in this entrapment scheme to take my zoo for FREE. Changed my medicine with illegal drugs, stole my animals under fraudulent reasons. Destroyed my

house with all my person property in it. Couched and encouraged the government witnesses to lie under oath.

Daniel Ashe conflict of interest and serving a personal agenda by putting generic tigers on the ESA and being president and CEO of the AZA who hates private zoos and breeders.

James Garresttson Government informant was offered \$100,000.00 to set me up while he was stealing peoples ID's and credit cards, lying under oath

Allen Glover was an employee of Mr. Lowe and followed Mr. Lowes every order. This included lying under oath at my trial, helping to set me up. His very cell phone had the text messages showing he was told what to say and the government included that in discovery process, but ignored the perjury. Also he lied under oath that I gave him the so called pizza phone when in fact he had a text message to his girlfriend on that very phone saying where he got it which was from the pizza manager not the me, but again was allowed to lie by everyone in the court proceedings

C. What date and approximate time did the events giving rise to your claim(s) occur?

NOVEMBER 2017 - MARCH 2019

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

See Attached #3

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

I HAVE BEEN SEXUALLY ASSAULTED, SCARED FROM
BEING TIED IN A CHAIR,
WAS GIVEN BAND-AIDS

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I WANT THE LAW TO BE ENFORCED FAIR AND EQUAL.
I AM THE ONLY PERSON CRIMINALLY CHARGED WHILE
THE GOVERNMENT LETS A PRIVATE NON-PROFIT GROUP
CIVILLY SUE EVERYONE ELSE, AND WANT RE-PAID FOR
MY PERSONAL PROPERTY AND 18 YEARS OF RESEARCH
LOST DUE TO THIS, THEY ARE MISS READING THE
LAW JUST TO FURTHER AN AGENDA.
\$ 73,840,000.00

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☐ Yes

☒ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☐ Yes

☒ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes

☒ No

☐ Do not know

If yes, which claim(s)?

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☐ Yes

☒ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

- E. If you did file a grievance:

1. Where did you file the grievance?

N/A

2. What did you claim in your grievance?

N/A

3. What was the result, if any?

N/A

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

Appeal is currently on going.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

N/A

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

N/A

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

N/A

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

N/A

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s)

Defendant(s)

N/A

2. Court (if federal court, name the district; if state court, name the county and State)

N/A

3. Docket or index number

N/A

4. Name of Judge assigned to your case

N/A

5. Approximate date of filing lawsuit

N/A

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition.

N/A

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

N/A

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

N/A

☐ Yes☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s)

Defendant(s)

N/A

2. Court (if federal court, name the district; if state court, name the county and State)

N/A

3. Docket or index number

N/A

4. Name of Judge assigned to your case

N/A

5. Approximate date of filing lawsuit

N/A

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition

N/A

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

N/A

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 3-5-2020

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address

Joseph A. MAIDONADA - PASSAGE
134993860
215 N 3rd St
Chichasha OK 73018
City State Zip Code

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address